



STATE OF MARYLAND

**DHMH**

Maryland Department of Health and Mental Hygiene

*Board Of Physical Therapy Examiners*

## **BOARD MEETING MINUTES**

**September 15, 2009**

The September 15, 2009 meeting was called to order at 1:20 p.m.  
by the Chairperson, Margery Rodgers, PT.

Call to Order

### **Board members present:**

Ved K. Gupta, Consumer Member  
Shirley Leeper, PTA, Vice Chairperson  
Lori Mizell, PT  
Donald Novak, PT  
Lois Rosedom-Boyd, Consumer Member  
Stephen Ryan, PT

### **Also present:**

Ann E. Tyminski, Executive Director  
Joy E. Aaron, Deputy Director  
Patricia Miller, Licensing Coordinator  
Sandra Kurland, Board Secretary  
Deborah Jackson, Secretary  
Ernest Bures, Investigator/Compliance Officer  
Linda Bethman, AAG, Board Counsel  
Francesca Gibbs, Staff Attorney  
Paula Hollinger  
Sharon Bloom

### **Absent:**

John Baker, PT

The agenda was approved with the addition of the Licensing Database.

Agenda

Lori Mizell gave an update on the Sunshine Fund. The fund has a balance of \$162.05, and all bills have been paid. However, all Board members have not contributed to the fund.

Sunshine Fund

The minutes of the Open Session for August 18, 2009 were approved as amended.

Minutes



Kathy Brady, PT, from APTA of Maryland, sent Ann Tyminski an e-mail in reference to modifications to the BOE 2010 legislative proposal. After discussion, the Board decided to find a sponsor and submit the legislation as originally proposed.

APTA

Natalie King, PTA sent an e-mail to Ann Tyminski in reference to the Board's response about developing a non-physical therapy cash-based service. The Board again responded that if this is truly not physical therapy the physical therapist assistant may perform the tests and instruct the client. However, she may not use her physical therapist assistant credentials.

Cash-based  
testing service

Ann Tyminski received an e-mail from Susan Cecere, PT in reference to APTA's position regarding IEP and IFSP being the PT plan of care. The Board said that if the physical therapy plan of care is incorporated within the IEP, then it can be considered appropriate documentation. If not, school based physical therapists must follow the standards of documentation regulations.

Documentation in  
school system

Steve Strunk sent an e-mail to Ann Tyminski stating that after September 10, 2009, without appeal, the animal massage 'Summary Judgment' ruling from July 30, 2009 will stand. The ruling states that "as long as there is no use or misuse of the license that was issued to her to practice human massage therapy, then there should be no interference by the Chiropractic Board". The Board stated that its position on animal physical therapy is unchanged at this point.

Animal Treatment

Joy Aaron reported she had an inquiry from FSBPT about submitting our entire licensure database to their IT Department. Ms. Bethman indicated that the Board office can supply only public information. She will look further into the issue.

FSBPT

Ann Tyminski received an e-mail from Caroline Boice, Sunset Review Analyst. Ms. Boice stated that we should be receiving her report soon and expressed her gratitude to the staff and the Board members for being so helpful and forthcoming.

Sunset Review

Susan Thompkins, PT, faxed a question to the Board, asking what detail is necessary in documenting on a patient that is being seen as a cash patient for maintenance program. The Board stated that if this is physical therapy, she is to follow our regulations on documentation.

Documentation

Ann Tyminski received an e-mail from Mary Anne Leginus, PT, in reference to eligibility criterion for children. The Board stated that it is not within its purview to advise on diagnoses and the Prince Georges County Infants and Toddlers program should develop its own protocol for assessing the appropriate level for the child.

Infants & Toddlers Program

Mrs. Tyminski informed the Board that Brian Ashton, PT, finally paid his reinstatement fee of \$400 and \$40 fee for a returned check on a closed account.

Brian Ashton, PT

The Board discussed FSBPT's continuing competence program for CEUs. This matter was turned over to the Legislative Committee.

FSBPT Continuing Compliance Program

The Legislative Committee has set a date of November 3, 2009 for their meeting.

Leg. Committee

Mrs. Tyminski presented the PT application for Pallavi Malvayi, who is foreign educated. Mrs. Tyminski has told Ms. Malvayi that she needs a chemistry and English course to complete her education for a PT license. Ms. Malvayi failed the CLEPS that she took, but wants credit for taking them. She also took a natural science course and wants this credited for the chemistry course. The Board denied the request that natural science CLEP be a substitute for Chemistry.

Pallavi Malvayi

The Board approved the Coursework Tool (CWT5) for use in credentialing foreign educated physical therapists who graduated after June 30, 2009. Credentialing agencies will be so informed.

Coursework Tool 5

Income statements were distributed.

Income Statements

The Board reviewed the Motions for the FSBPT Delegate Assembly and saw no problem in approving them.

FSBPT Motions

Shirley Leeper, PTA, Board Vice Chair, reported on the APTA Board of Directors Meeting.

APTA BOD

Joy Aaron and Shirley Leeper, PTA, Board Vice Chair reported that the CEU Audit is complete.

CEU Audit

An article on the Bowen technique was submitted by Kelly Marasco, PT, for continuing education approval. The Board requested additional Information.

CEU Courses

Yoga for the Special Child, Teacher Training was denied by the Board as it is not geared toward a professional audience.

Anger, Forgiveness and the Healing Process was denied as this course is geared toward psychologists.

The Board unanimously voted to close the open session at 2:45 pm for the purpose of engaging in medical review committee deliberations of physical therapist applications in accordance with State Government Article S10-50 8(a)(13).

Respectfully submitted,



Ann Tyminski, Executive Director

10-20-09  
Date approved

  
Margery F. Rodgers, Chairperson